

FILED
APR 05 2011

Sandra
Hoglund
Hanson
CLERK

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

ON THE CHEAP, LLC, d/b/a, TRU
FILTH, LLC,

*
* CIV. 11-MC- 36

Plaintiff,

vs.

DOES 1-5,011,

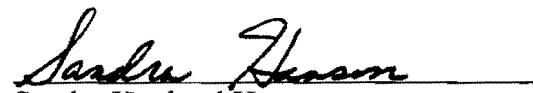
Defendants.

*
*
* MOTION TO QUASH AND
* OBJECTIONS TO SUBPOENA

COMES NOW Midcontinent Communications, a non-party to the above-entitled matter, which has been served with a Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action, and asserts objections to that subpoena and moves the Court to quash that subpoena to allow Midcontinent Communications a reasonable opportunity to alert subscribers and customers of a potential release of information, consistent with its privacy policies and statements adopted in consideration of federal law, before requiring such disclosure, and to assure adequate protections against undue burden or expense, consistent with FED.R.Civ.P. 45.

Dated at Sioux Falls, South Dakota, this 5 th day of April, 2011.

DAVENPORT, EVANS, HURWITZ &
SMITH, L.L.P.


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*Attorneys for Midcontinent
Communications*

CERTIFICATE OF SERVICE

Sandra Hoglund Hanson, one of the attorneys for Midcontinent Communications, hereby certifies that a true and correct copy of the foregoing "Motion to Quash and Objections to Subpoena" and "Affidavit of Marjorie L. Johnson" was served by mail upon:

Ira M. Siegel
Law Offices of Ira M. Siegel
433 N. Camden Drive, Suite 970
Beverly Hills, CA 90210

Attorneys for Plaintiff

on this 5th day of April, 2011.


Sandra Hanson